

REMARKS

Claims 1, 3-7 and 15-19 are presented for consideration, with Claim 1 being independent.

Claim 1 has been amended to further distinguish Applicant's invention from the cited art. In addition, Claims 15-19 have been added to provide an additional scope of protection. Support for the claim amendments and new claims can be found, for example, on page 12, line 1, *et. seq.*, of the specification.

Claims 1, 3, 5, 7 and 12 currently stand rejected under 35 U.S.C. §103 as allegedly being obvious over Endo '647 in combination with Ikeda '385. In addition, the remaining claims stand rejected as allegedly being obvious over Endo and Ikeda '385, and in further combination with Lindsay '497 and Swidler '833 (Claim 4), Uno '883 (Claim 6), Goden '136 (Claims 8, 9 and 14), Asano '557 (Claims 10 and 11), and Ikeda '896 (Claim 13). These rejections are respectfully traversed.

Claim 1 of Applicant's invention relates to an electrophoretic display device comprised of a substrate, a sealing plate, a partition wall disposed between the substrate and the sealing plate, and a liquid layer, disposed in a container including the substrate and the partition wall, and comprising electrophoretic particles and a dispersion medium. A first electrode is formed at a position apart from the partition wall on the substrate, and a second electrode is formed along the partition wall. Additionally, means for applying a voltage between the first electrode and the second electrode is provided, and a resistance layer electrically connects the first electrode and the second electrode. As amended, the resistance layer is continuously arranged between a surface of a liquid layer side of the first electrode and a surface of a liquid layer side of the second electrode.

In accordance with Applicant's invention, a high performance electrophoretic display device is provided.

As discussed in the Amendment After Final Rejection dated September 17, 2010, the Endo publication relates to an electrophoretic display device having first and second substrates 1, 2, separated by a partition wall 7, and containing therein an insulating liquid 5 with charged migrating particles 6 (see Figures 1(a) and 1(b)). The display includes a first electrode 3 in the first substrate, and a second electrode 4 disposed as part of the partition wall 7.

Endo does not provide a resistance layer electrically connecting the first and second electrodes. To compensate for this deficiency, the Office Action relies on the secondary citation to Ikeda '385.

In Ikeda, an electrophoretic display device includes first and second substrates 1a and 1b (see Figure 1), and a stage 4 provided with a first electrode 5a and a second electrode 5b. As illustrated in Figure 1, an insulating layer 9 is formed between the first and second electrodes.

Without conceding to the propriety of combining Endo and Ikeda in the manner proposed in the Office Action, it is submitted that such a combination still fails to teach or suggest Applicant's claimed invention. For example, the proposed combination does not provide a resistance layer electrically connecting the first and second electrodes and continuously arranged between a surface of a liquid layer side of the first electrode and a surface of a liquid layer side of the second electrode. As shown in Ikeda, the insulating layer 9 is necessarily formed between the electrodes to avoid an injection of an electric charge, i.e., short circuit, therebetween (see column 6, lines 34-37). And although the insulating layer 9 is arranged on a surface of a liquid

layer side of the first electrode, the second electrode is covered by a different layer -- acrylic resin layer 11. It is respectfully submitted, therefore, that the proposed combination of art, even if proper, still fails to teach or suggest a resistance layer electrically connecting the first and second electrodes and continuously arranged between a surface of a liquid layer side of the first electrode and a surface of a liquid layer side of the second electrode.

Accordingly, reconsideration and withdrawal of the rejection of Claims 1, 3, 5, 7 and 12 under 35 U.S.C. §103 is respectfully requested.

The tertiary citations have been discussed in the Amendment After Final Rejection, and those comments are incorporated herein by reference. These tertiary citations fail, however, to compensate for the deficiencies in Endo and Ikeda as discussed above with respect to Claim 1. Therefore, without conceding the propriety of combining the art in the manner proposed in the Office Action, such combinations still fail to teach or suggest Applicant's claimed invention. Therefore, reconsideration and withdrawal of the remaining rejections under 35 U.S.C. §103 is respectfully requested.

Thus, it is submitted that Applicant's invention as set forth in independent Claim 1 is patentable over the cited art. In addition, dependent Claims 3-7 and 15-19 set forth additional features of Applicant's invention. Independent consideration of the dependent claims is respectfully requested.

In view of the foregoing, reconsideration and allowance of this application is deemed to be in order and such action is respectfully requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

/Scott D. Malpede/

Scott D. Malpede
Attorney for Applicant
Registration No. 32,533

FITZPATRICK, CELLA, HARPER & SCINTO
1290 Avenue of the Americas
New York, NY 10104-3800
Facsimile: (212) 218-2200

SDM/rnm